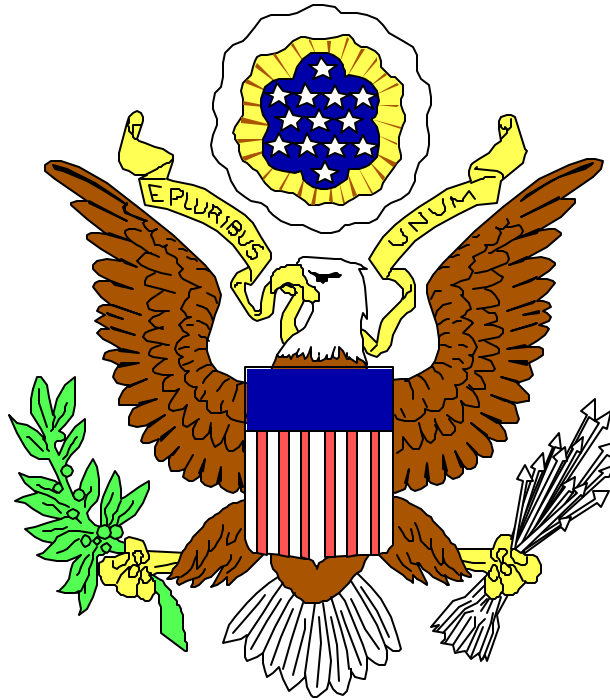


# **DECENTRALIZED BUDGET PLAN**



## **UNITED STATES DISTRICT COURT DISTRICT OF NEBRASKA**

Last Revised: August 28, 2001

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### **DECENTRALIZED BUDGET PLAN**

#### **DISTRICT COURT CLERK**

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**Attachments:**

**Attachment 1** - Status of Funds Report

**Attachment 2** - District Spending Plan

**Attachment 3** - District Obligation History Report

**Attachment 4** - District Financial Planning Calendar

# **U.S. DISTRICT COURT DISTRICT OF NEBRASKA**

## **DECENTRALIZED BUDGET PLAN**

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### **I. Purpose**

The purpose of this plan is to provide documented procedures for budget management to ensure continuity, assign responsibilities and serve as a training tool. The documentation contained in this plan is supported by local Internal Controls Manuals.

### **II. Organizational Structure of the District Court**

Budget decentralization allows the courts to improve the efficiency and effectiveness of how funds are managed while minimizing delays, streamlining daily operations of the court and increasing the flexibility of how funds are administered by each unit of the court.

Budget decentralization requires that each court unit executive, i.e., Clerk of the District Court, Chief Probation Officer and Chief Pretrial Services Officer possess the expertise to manage their individual budgets subject to oversight by the Chief District Judge. Our district has separated the District and Bankruptcy courts for budgetary purposes. The following organizational chart outlines the chain of command relating to budget decentralization in the District of Nebraska:

A. **Executive Management Roles and Responsibilities**  
**Judicial Officers Role**

Though not generally involved in day-to-day operations, judicial officers, particularly the chief judge, play an important role in financial plan development and execution. Each judicial officer may examine the budget and financial records of a court unit at any time.

1. **Chief Judge**

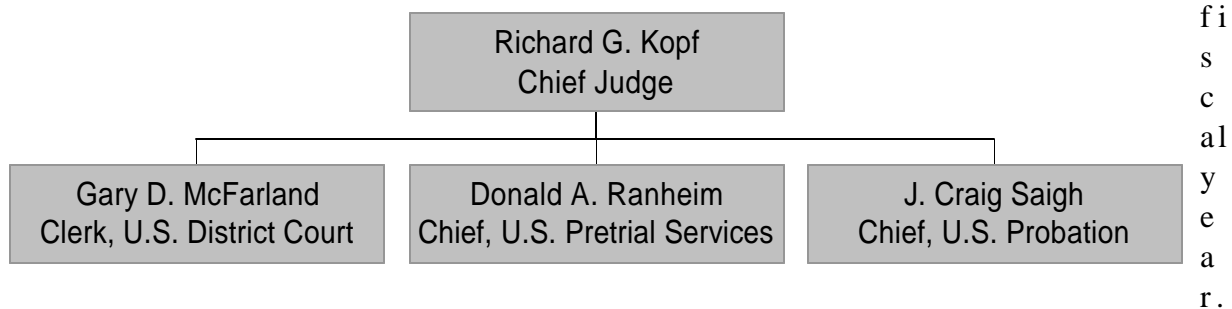
The chief judge is the approving official for all court unit budget requests and financial plans. Other duties include:

a. **Oversight and Guidance**

The chief judge exercises spending oversight and guidance in preparing the court's financial plan.

b. **Periodic Financial Reviews**

The chief judge takes an active role in monitoring court unit spending through periodic financial reviews with the court. The *Status of Funds Report* is sent to the chief judge quarterly and monthly during the final fiscal year quarter. As a supplement to the *Status of Funds Report*, a preliminary *Spending Plan* is due to the chief judge by the second Monday of March and a more-defined *Spending Plan* is due by the second Monday of July. Subsequent updated spending plans will be included with the *Status of Funds Report* during the final quarter of the



Probation, Pretrial and District Court have agreed to this procedure which is outlined in the following memo to the chief judge:

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Pursuant to the chief judge's direction, the budgetary process and accounting records of each agency are available to all judges in the district.

c. **Reprogramming**

The chief judge will approve all inter-unit reprogramming.

2. **Unit Executive Role**

Pursuant to the rules of budget decentralization adopted in 1993 by the Judicial Conference, fund allotments are made directly to the unit executive who is responsible for ensuring that unit spending does not exceed the sum of these allotments.

**Duties and Responsibilities of the Unit Executive**

a. **General**

- Makes budgetary decisions.
- Delegates daily management of the unit's budget to the budget analyst.
- Adheres to the rules and regulations governing decentralized budget management and procurement.

b. **Budget Planning**

- Develops short and long-term budget goals.
- Solicits information from chambers and staff.
- Coordinates development of the annual spending plan to meet these goals.

c. **Budget Execution**

- Organizes periodic financial management reviews and issues forms consistent with the guidelines for budget decentralization.

- Reviews reprogramming and supplemental funding requests.

**B. Coordination Among Court Units**

All court units will work closely together to insure that economies of scale are implemented and resources are shared, whenever possible.

**C. Agency Decentralized Budget Plan Structure**

Each court unit has elected to write their own decentralized budget plans.

## **DECENTRALIZED BUDGET PLAN**

### **DISTRICT COURT CLERK**

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**I. Allotment Simplification Narrative and Distribution of Funds**

**A. Allotment Simplification Narrative**

Under Allotment Simplification, formulae were designed to promote a more equitable distribution of available resources to all court units. Funds are allotted to the clerk's office via three basic methodologies: "Aggregates," "Historical" and "Special/Event."

The "Aggregate" budget object codes (BOCs), which comprise the majority of BOCs, formula was derived from actual obligation data reported by the clerk's office for the three fiscal years prior to 1998. The formula was developed for these BOCs to produce similar allotment amounts for court units of similar size. A refreshing of the "Aggregate" is reviewed on an annual basis. A separate formula for the main automation BOCs is used to calculate this allotment and is outside the scope of allotment simplification.

"Historical" BOCs are funded based on actual expenditures for the previous four quarters plus an inflation adjustment. The only "Historical" BOC which currently impacts the District Court is BOC 2341, Overtime Utilities.

"Special/Event" driven BOCs allow the clerk's office to request additional funding for special circumstances, such as the confirmation of new judges.

**B. Distribution of Funds**



Funds are allotted to the District Court through three primary “baskets:” Salaries and Expenses; Operating Expenses; and the Judiciary Information Technology Fund (JITF). These “baskets” are then sub-allotted to individual BOCs within each fund.

1. **Salaries and Expenses**

Payroll funds are allotted to the clerk’s office through the Cost Control Monitoring System (CCMS). Salaries and Expenses (BOC 092000 1100) is not affected by allotment simplification. “Work units” are derived by comparing statistics throughout the nation for individual court units and weighting those statistics accordingly.

2. **Operating Expenses**

Operating Expenses Fund (BOC 092000 2000) allotments are given to the clerk’s office for the payment of non-automation operating expenses.

3. **Judiciary Information Technology Fund (JITF)**

Judiciary Information Technology Fund (JITF), (BOC 51140X 2000) appropriations are distributed in the automation “basket” to fund all voice telecommunications, training and miscellaneous automation accounts. Formula based funding is also distributed in Automation Equipment (BOC 51140X 3103) to fund automation equipment, supplies and equipment maintenance. A separate formula based allotment is also distributed in Data Communications Network Equipment (BOC 51140X 3105) and is non-reprogrammable.

The systems manager oversees the procurement and selection of the automation equipment. A district-wide automation committee discusses the impact of the ever-changing technologies which are affecting the clerk’s office and identifies possible economies of scale.

4. **Cyclical Replacement/Maintenance of Facilities**

In FY 2001, the AO established a new BOC, (2510), for cyclical replacement and maintenance of judicial facilities due to General Services Administration’s inability to meet the requirements of the Courts. The formula-based BOC is to be used for items such as cyclical replacement of carpeting and painting. Each court unit has received their own allotments.

District Court has developed a spreadsheet itemizing short and long term facility requirements. After meeting with chambers personnel and conducting an on-site inspection of each courthouse, an internal committee within the clerk's office, which includes the clerk, meet to prioritize annual needs against the funded allotment to determine a spending plan. The final spending plan is then submitted to the chief judge and the governing body of the court, which consists of the active Article III judges.

## II. **Budget Planning, Development, Presentation and Calendar**

Budget formulation involves detailed planning, development of cost estimates, consideration of alternatives and presentation of the clerk's office's request. Communication and coordination are important factors. The initial spending plan is compiled by the budget analyst. It is approved by the clerk and chief deputy after input from the management prior to the end of the first quarter.

### A. **Division of Budget Formulation Responsibilities**

The budget analyst, clerk of court and chief deputy are responsible for formulating the annual fiscal year budget and spending plans. The clerk of court solicits information from chambers and clerk's office staff to project and prepare the annual budget. The budget analyst gathers a portion of this data from various staff members who have specialized knowledge in certain areas. The compilation of data, planning and reports are prepared and distributed by the budget analyst. The clerk of court reviews the budget with the management team prior to sending it to the chief judge for final approval.

### B. **Coordination with Other Units**

Consolidation of resources and economies of scale are applied among all court units, whenever possible. A budget/finance analyst group meets quarterly to discuss various financial issues which may impact the court as a whole and makes recommendations to the unit executives. Additionally, all unit executives meet monthly to discuss court-wide matters, which include budgetary items.

### C. **Priority Ranking and Determination**

When determining a spending plan, meeting the day-to-day needs of the court takes precedence over any other discretionary purchases. After those needs are met and any

unobligated funding balances are determined, the management team ranks the clerk's office priorities. The spending plan is designed to meet the needs of the judges first, whenever possible.

The clerk's office is greatly impacted by any personnel decisions which are made. The hiring of a person this year will have an immediate effect on the current year's budget and long term effects on all future budgets. Lapse money (money left over after making personnel decisions), when available, is often used at the end of the year to make discretionary purchases. Oftentimes, this money is "held back" until the end of the year for emergency purposes or to cushion the blow of any anticipated future budget shortfalls. Second year ceilings, salary progression percentages, work measurement formulas and annual allotments from Congress can vary which hinders the clerk's office when making long term decisions.

D. **Calendar**

The clerk's office has a detailed budget calendar (**Attachment 4**) which delineates dates for various budget activities and is synchronized with the national calendar published by the Budget Division. This calendar is updated by the budget analyst and is located on the clerk's office web page.

III. **Budget Execution**

A. **Accounting Input and Reconciliation**

The clerk's office uses the Administrative Office of the U.S. Courts (AO) supported Financial Accounting System for Tomorrow (FAS<sub>4</sub>T) as its financial system. The budget analyst uses FAS<sub>4</sub>T to create ledgers, track obligated and unliquidated balances, payment authorizations, view vendor queries and generate *Status of Funds Reports*. These reports are reconciled monthly to ensure that clerk's office budget and accounting reports agree with those from the AO.

B. **Program Spending Reviews**

An Excel spreadsheet (**Attachment 2**) is used to itemize the projected additional obligations column of the *Status of Funds Report* (**Attachment 1**). The budget analyst updates and reviews the spending plan monthly with the management team. The impact of any personnel decisions are reviewed by the clerk, chief deputy, human resources specialist and budget analyst. The clerk's office forecasts expenses beyond

the current fiscal year to determine the long term (three to five years) impact of current year personnel and procurement decisions. An Excel spreadsheet (Attachment 3) tracking the past five year obligation history of the clerk's office is used to aid the budget analyst in forecasting future expenditures.

C. **Reprogramming Procedures**

The clerk has the authority to reprogram funds subject to limitations in the *Allotment Guidelines*. Three types of reprogramming are authorized:

**Intra-fund** - the movement of funds between object classes in a single fund.

**Inter-fund** - the movement of funds between object classes in different funds.

**Inter-unit** - the reprogramming of funds between court units.

The budget analyst has full discretionary reprogramming authority of intra-fund BOCs throughout the fiscal year.

Inter-fund reprogramming from Salaries or Operating Expenses to the JITF are submitted electronically via the Budget Division's **InfoWeb** (the judiciary's financial intranet). Inter-fund reprogramming from the JITF to the Salaries or Operating Expenses funds require advance approval by the AO. The clerk of court certifies all inter-fund transfers.

Discretionary spending for items such as severance pay and professional liability insurance is included in the spending plan and money is reprogrammed as needed into the appropriate BOCs. It has been determined by the judges that cash awards are not to be distributed in our district. Transit subsidies are not an issue in our district.

**District, Probation, Pretrial Services**

Inter-unit reprogramming is permitted when each participating unit executive from the district agrees to the action and written approval is given by the chief judge. The budget analysts from each respective agency will enter the reprogramming into the InfoWeb. Inter-fund and inter-unit reprogramming is processed by the budget analyst through the InfoWeb. Only in emergency situations will reprogramming after the due date be considered by the AO. Prior to obligating funds, the clerk's office ensures that the funds have been transferred by the AO.

D. **Supplemental Funding Requests, Alternatives Analysis, Review and**

## **Approval Procedures**

The *Allotment Guidelines* address the circumstances in which requests for supplemental funding can be submitted. The clerk's office certifies that surplus funds are not available prior to requesting a supplemental allotment. If balances are available at the AO, the clerk's office will submit a spending plan approved by the clerk demonstrating planned use of those balances. The clerk's office also solicits financial assistance within our court family prior to submitting supplemental requests.

Supplemental funding is, in many cases, a last resort and will not be sought until the allotments have been depleted. The clerk's office examines alternatives and makes use of cost benefit analysis, where applicable, to support the request. The budget analyst enters all supplemental funding requests into the InfoWeb after approval is given from the clerk. The cutoff dates for supplementals and allotment appeals are mentioned in the annual financial calendar.

### **E. Personnel Projection System (PPS)**

The Windows-based Personnel Projection System is a software tool designed by the AO to assist courts in managing their personnel compensation allotments. The user-created database contains basic employee information (name, Social Security number, date of hire, current pay grade, step, salary, etc.) and a record of most actions affecting pay. The human resources specialist reconciles PPS data biweekly with the AO-provided biweekly payroll reports to ensure accuracy. The PPS data files are included on our network and are backed up nightly.

The human resources specialist is responsible for the day-to-day management of the PPS program under the direction of the clerk and chief deputy. The budget analyst assists in the reconciliation and monitoring of the budgetary aspects and projected impacts of various personnel scenarios which are presented to the clerk and chief deputy.

### **F. External Reporting**

The frequency and type of report the clerk's office must submit to the AO is prescribed in Chapter VII of the *Guide to Judicial Policies and Procedures (Guide)*.

#### **1. Financial Status of Funds Report (SFR)**

Clerk's office spending plans are prepared by the budget analyst and reviewed with the management team. Prior to the end of the first quarter, all funds allotted to the unit in "basket" accounts are sub-allotted to specific BOCs.

The clerk and budget analyst are in close contact with the AO to monitor and implement any budgetary changes which could impact the clerk's office.

*Status of Funds Reports* are transmitted to the AO electronically by the budget analyst. These reports are transmitted at the end of each fiscal quarter: December, March, and June and monthly thereafter (July, August and September.) It is standard clerk's office procedure to update this report monthly. The format is standardized with the following elements in descending order by BOC:

- **Original allotment** - Funding received from the AO at the beginning of the fiscal year.
- **Supplemental allotment** - Additional funding received during the fiscal year.
- **Local/AO reprogramming** - The movement of funds between budget object classes pursuant to local authority (intra-fund) or by the AO where the reprogramming action involves two funds or the reprogramming is between units.
- **Returned allotment** - Funds returned to or withdrawn by the AO.
- **Net allotment** - The sum of the original allotment and any supplementals, reprogramming and returns recorded during the reporting period.
- **Expended obligations** - Disbursements.
- **Unliquidated obligations** - Obligations for which disbursements have not been recorded.
- **Total obligations** - Expended obligations plus unliquidated obligations.
- **Unobligated balance** - Net allotment minus total obligations.

An outside "extractor" is used to generate spending plan information for the balance of the fiscal year and must be manually entered after the preceding information is extrapolated from FAS<sub>4</sub>T.

- **Projected additional obligations** - Estimates reflect anticipated spending for the remainder of the fiscal year consistent with the financial spending plan.
- **Projected total obligations** - Total obligations plus projected additional obligations.
- **Projected unobligated balance** - Net allotment minus projected total obligations.

2. **Postage Reporting System (PORS)**

Developed by the Budget Division, the *Postage Reporting System (PORS)* is:

- The vehicle for reconciling obligations reported by the clerk's office with U.S. Postal Service invoice.
- Used for posting reconciled postage obligations in the Central Accounting System (CAS).

The clerk's office ensures obligation data is recorded monthly. The budget analyst is responsible for authorizing postage obligations, receiving credits and reporting the *PORS* data electronically through the InfoWeb. The information is reconciled with the clerk's office *Status of Funds Report*.

Postage meters are shared with other court units in the Omaha and Lincoln offices and the District clerk's office is responsible for maintaining a daily log. Separate passwords are used for each court unit to distinguish balances and for systems assurance.

3. **Immigration and Naturalization Ceremony Reporting (INS)**

Naturalization oath statistics, monthly e-mail certification and the transmission of a monthly N-4 report is administered by the courtroom deputy supervisor. The financial password is used to access INS information through the InfoWeb.

4. **Statement of Accountability Report (AO 274)**

The financial specialist is responsible for the preparation and submission of financial reports. The clerk of court reviews the *AO 274 Statement of Accountability* (and related reports) on a monthly prior to its submission and

compares the status of accounts to the books of original entry, the Treasury Control Account and pending subsidiary ledgers.

#### IV. **Fund Control**

The clerk's office is responsible for establishing, documenting, and maintaining internal financial controls. The guidelines in this section are designed to augment, not supercede, the financial management policies and procedures found in Chapter 7 of the *Guide*.

##### A. **Budget and Obligations Authority**

Obligations are incurred when orders are placed, contracts awarded, services are received or similar transactions occur during a given period which will require payments by the AO or clerk's office during this same or a future period.

The clerk's office staff is knowledgeable of the statutory responsibilities which govern the recording and reporting of obligations of appropriated funds. The conditions under which an amount is considered a legally binding obligation are set forth in 31 U.S.C. 1501 (a). The "Anti-Deficiency Act," 31 U.S.C. subsections 1341 (a)(1)(A)(B), 1511 (a), 1512, limits obligations to amounts made available through the appropriation processes. Additional guidance and information on this subject can be found in Chapter 7 of *Principles of Federal Appropriations Law, Second Edition, Vol II*, published by the General Accounting Office.

##### B. **Expenditure of Funds**

###### 1. **Authority for Approving Cash Outlay**

Outlays are, by definition, the "issuance of checks, disbursement of cash, or electronic transfer of funds made to liquidate a federal obligation." "Outlays during a fiscal year may be for payment of obligations incurred in prior years (prior-year obligations) or in the same year." (*A Glossary of Terms Used in the Federal Budget Process*, General Accounting Office, Washington, D.C., Jan. 1993, pp. 63-64.)

The authority to disburse funds in the federal court system is limited to clerks of district courts, the Court of International Trade and the Court of Appeals for the Federal Circuit. The clerk of court has signature authority and has authorized that the chief deputy clerk also have signature authority to disburse funds.

"Prior to disbursing funds, the clerk of court ensures that all vouchers are properly approved and supported by appropriate general or specific authorizations." This is discussed in the *Guide*, Chapter 7, Part A. Local



procedures developed by the clerk assure compliance with Treasury Department and judiciary regulations. The clerk of court adheres to Anti-deficiency Act regulations which ensures that anticipated obligations do not exceed the total operating budget (including after the close of the fiscal year.)

2. **Pre and Post-Audit Requirements and Responsibilities**

The clerk's office strives to minimize transaction errors by auditing invoices and payment authorizations before and after the disbursement of funds. The clerk's office controls are listed in the *Internal Controls Manual*. The pre and post-audit functions are discussed in more detail in the *Guide*.

The clerk of court and chief deputy clerk have the authority to sign payment authorizations for payment. Appellate, bankruptcy, probation, pretrial services and federal public defenders offices furnish a list of their approving officials to the district clerk. Original signature cards are kept in the custody of the clerk of court.

3. **Reporting and Oversight Responsibilities**

Responsibilities of the clerk's office includes collections, receipts, deposits, disbursements, fund control, time, attendance and payroll certification, non-appropriated funds and procurement and property. These functions and delegations are addressed in the *Internal Controls Manual*.

4. **Status of Unliquidated Obligations**

Our district does not send in an AO 185 form. The AO reviews the status of unliquidated obligations electronically through FAS<sub>4</sub>T.

C. **Delegations and Responsibilities**

All delegations are outlined in the clerk's office's *Internal Controls Manual*. A brief summary of the financial process is given below.

1. **Procurement**

- a. The Director of the AO has delegated \$25,000 procurement authority in the open market and \$50,000 under a GSA ADP or Telecommunications Schedule Contract, or the maximum order limitation under an existing judiciary contract or Government-wide vehicle such as the GSA sponsored POTS, ASP and WITS programs

to the chief judge of our district. The chief judge has re-delegated this authority to the clerk of court. The clerk of court has re-delegated the same to the chief deputy clerk. The clerk of court has re-delegated \$2,500 procurement authority to the budget analyst and procurement specialist. When necessary, the clerk of court will seek an additional delegation of authority from the AO on a limited scope for any purchase which may exceed his limitation.

- b. The clerk of court or the chief deputy sign all purchase orders in accordance with their delegations between \$2,500-\$50,000. The procurement specialist and budget analyst have authority to sign purchase orders up to \$2,500. Purchase orders are required for purchases of supplies or services which exceed \$250. Purchase and bank card orders are generated in FAS<sub>4</sub>T by the procurement specialist, who attaches the appropriate supporting documentation to the purchase order for later reference.

2. **Receipt of Goods**

- a. When goods or services are received, acceptance is documented by the receiving clerk, who is someone other than the person who purchased the item. The receiving clerk will initial and date the packing list or invoice assuring that all items referenced have been received in satisfactory condition. This notation provides permanent, written evidence of the acceptance of the goods or services by a government official.
- b. The procurement specialist will attach the receiving documentation to the purchase order. If the item received is considered accountable property and is over \$250 or is portable, the procurement specialist will place an inventory sticker on the item and enter the asset into *Pitboss*, the district court's inventory control system.

3. **Government Travel, Telephone and Purchase Card Programs**

- a. Each employee in the clerk's office has been issued a Citibank VISA government travel card. These cards are to be used for government travel only. Travel advances are no longer authorized since cash advances can be obtained via the travel card for food, cab fare and other incidentals. Airline reservations, hotel reservations and car rental, if preauthorized by the clerk, should be charged to the travel card. Individuals are responsible for payments incurred on their travel card and will be reimbursed after submitting a travel voucher in arrears of

their travel. Travel card procedures are referenced in the *Internal Controls Manual*.

- b. FTS 2001 Sprint Foncards are available for all employees to make official government telephone calls while away from their duty station or to make one call home while on travel status. The FTS long distance charges are centrally paid and are for government use only. Reports may be generated to ensure compliance.
- c. Citibank Visa Government Purchase Cards are available to a limited group of people within the clerk's office to make authorized U.S. Government purchases. The clerk and chief deputy have a single purchase and monthly cycle delegation of \$25,000. The budget analyst, chief information officer, deputy in charge in Lincoln, pc systems administrator, procurement specialist and space and facilities coordinator have been delegated \$2,500 single purchase and \$10,000 monthly cycle limits by the clerk. Purchase card procedures are referenced in the *Internal Controls Manual*.

4. **Payment Authorization Processing**

- a. The administrative assistant processes all appropriated fund payment authorizations in FAS<sub>4</sub>T after assuring that any purchase order, receiving report, competitive bids or other documentation is attached to the original invoice. The administrative assistant also assures that the proper accounting strip is referenced and calculations are accurate prior to processing the document. Any discrepancies with the invoice or other records are resolved prior to submitting the payment authorizations to the budget analyst.
- b. If the administrative assistant questions whether or not by paying this bill, a duplicate payment will be made to a vendor, a document search is conducted through FAS<sub>4</sub>T. This is accomplished by doing a vendor query and viewing any prior payment authorizations or references to a purchase order.
- c. After creating the payment authorization in FAS<sub>4</sub>T, the administrative assistant forwards the documentation to the budget analyst for review and first-level electronic approval in FAS<sub>4</sub>T. If any problems are found, the budget analyst returns the document to the administrative assistant for correction.
- d. The budget analyst then submits the payment authorizations to the chief

deputy. The chief deputy reviews the paper documentation and then signs and dates a stamp on the invoice which references the accounting classifications and reference number in FAS<sub>4</sub>T. The clerk of court has payment authorization approval authority in the chief deputy's absence.

- e. After the chief deputy approves the documentation, it is forwarded to the financial specialist for second-level approval and processing in FAS<sub>4</sub>T.

5. **Check Writing / Signing**

- a. After manually checking that the invoice, supporting documentation and accounting strip information are correct, the financial specialist electronically verifies that the payment authorization is properly input into FAS<sub>4</sub>T. The financial specialist then approves and processes the document. If everything is proper, an approval stamp is placed on the invoice. If there is an error in the written or electronic documentation, it is returned to the appropriate party for correction.
- b. After all invoices are approved for a specific check-run, the financial specialist prints the pre-check register which shows the detail of all checks to be processed. The clerk has delegated the check signing authority to the financial specialist, who uses the electronic signature of the clerk or chief deputy. This is done by removing the key to the Certex check signing machine from the safe and entering a secure personal password of the signatory into the machine. The checks are then run with the appropriate signature. Once the checks have been processed, the financial specialist clears the code from the machine and returns the key back to the safe. The financial specialist then applies the date and check number on the invoice and posts the check run electronically in FAS<sub>4</sub>T.
- c. The final check log and final check register are given to the clerk to compare with the invoices and checks for final approval. After comparing the checks and invoices to the final check register, the clerk then signs and dates the check log with the beginning and ending check numbers to assure that all checks are accounted for. The clerk then returns all documentation to the financial specialist for filing and mailing.